

ORDINANCE NO. 93- 10

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED, AMENDING THE THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County adopted the 1989 Comprehensive Plan on August 31, 1989 in Ordinance No. 89-17; and

WHEREAS, Chapter 163, Florida Statutes, provides procedures for amending an adopted comprehensive plan; and

WHEREAS, the Palm Beach County staff has initiated this amendment to the Thoroughfare Right-of-Way Identification Map of the Comprehensive Plan at the request of the City of Palm Beach Gardens in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted public hearings on October 21, 1992 and December 2, 1992, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Florida Statutes, on December 14, 1992, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed changes to the Department of Community Affairs for review and comment pursuant to Chapter 163, Florida Statutes; and

WHEREAS, Palm Beach County received Department of Community Affairs "Objections, Recommendations, and Comments (ORC) Report" dated April 19, 1993 which was the Department's written review of

1 the proposed Comprehensive Plan amendments; and

2 WHEREAS, on June 14, 1993, the Palm Beach County Board of
3 County Commissioners held a public hearing to review the written
4 ORC Report submitted by the Department of Community Affairs and to
5 consider adoption of the amendments; and

6 WHEREAS, the Board of County Commissioners of Palm Beach
7 County has determined that the amendment as modified satisfies the
8 objections raised by the Department of Community Affairs and
9 complies with all requirements of the Local Government
10 Comprehensive Planning and Land Development Regulations Act; and

11 WHEREAS, the Board of County Commissioners of Palm Beach
12 County has found that the deletion of Jog Road (Ryder Cup
13 Boulevard) from the Thoroughfare Right-Of-Way Identification Map
14 will promote the safety and quality life of the residents of PGA
15 National; and

16 WHEREAS, the existing two-lane right-of-way has been designed
17 and constructed as an internal collector with twenty-seven
18 intersections within the two-mile section; and

19 WHEREAS, the reduction in density as a result of the
20 amendments to Palm Beach Gardens Comprehensive Plan reduces the
21 traffic demand and mitigates much of the impact, which permits the
22 removal of Jog Road (Ryder Cup Boulevard).

23 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
24 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

25 Part I. Amendment to the 1989 Palm Beach County Comprehensive
26 Plan

27 An amendment to the Thoroughfare Identification Map of the
28 Palm Beach County 1989 Comprehensive Plan is hereby adopted.

29 The amendment to the map is attached to this Ordinance as
30 Exhibit 2.

31 Part II. Repeal of Laws in Conflict

32 All local laws and ordinances applying to the unincorporated

1 area of Palm Beach County in conflict with any provision of this
2 ordinance are hereby repealed.

3 Part III. Severability

4 If any section, paragraph, sentence, clause, phrase, or word
5 of this Ordinance is for any reason held by the Court to be
6 unconstitutional, inoperative or void, such holding shall not
7 affect the remainder of this Ordinance.

8 Part IV. Inclusion in the Code of Laws and Ordinances

9 The provision of this Ordinance shall become and be made a
10 part of the code of laws and ordinances of Palm Beach County,
11 Florida. The Sections of the Ordinance may be renumbered or
12 relettered to accomplish such, and the word "ordinance" may be
13 changed to "section," "article," or any other appropriate word.

14 Part V. Effective Date

15 The provisions of this Ordinance shall become effective upon
16 the occurrence of all of the following events:

17 1. This amendment being found in compliance with the Local
18 Government Comprehensive Planning and Land Development Regulation
19 Act (Act) by the Department of Community Affairs, or being found in
20 compliance with the Act by the Administration Commission as
21 provided in Section 163.3189(2), Fla. Stat. (Supp. 1992).

22 2. The adoption of Comprehensive Plan amendments by the City
23 of Palm Beach Gardens reducing density in TAZ 848 or as otherwise
24 agreed to by Department of Community Affairs.

25 3. The City of Palm Beach Gardens Comprehensive Plan
26 amendment or amendments (No. 2 above) being found in compliance
27 with the Local Government Comprehensive Planning and Land
28 Development Regulation Act (Act) by the Department of Community
29 Affairs, or being found in compliance with the Act by the
30 Administration Commission as provided in Section 163.3189(2), Fla
31 Stat. (Supp. 1992).

1 **APPROVED AND ADOPTED** by the Board of County Commissioners of
2 Palm Beach County, on the 14th day of June, 1993.

3
4 PALM BEACH COUNTY, FLORIDA,
5 BY ITS BOARD OF COUNTY COMMISSIONERS

6
7
8 By W. Lee McCann
9 chairman

10
11 **APPROVED AS TO FORM AND**
12 **LEGAL SUFFICIENCY**

13
14 Robert P. G. [Signature]
15 COUNTY ATTORNEY
16
17

DOROTHY H. WILKIN, Clerk
Board of County Commissioners
By Dorothy H. Wilkin
DEPUTY CLERK

18 Acknowledgement by the Department of State and the State of
19 Florida, on this, the 24 day of June, 1993.

20 Acknowledgement from the Department of State received on the
21 28th day of June, 1993, at 4:53 P.M. and
22 filed in the Office of the Clerk of the Board of County
23 Commissioners of Palm Beach County, Florida.

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKIN, ex-officio Clerk of the
Board of County Commissioners, do hereby certify this to be a
true and correct copy of the original filed in my office
on 6/14/93.
DATED at West Palm Beach, FL on 6/29/93.
DOROTHY H. WILKIN, Clerk
By: Dorothy H. Wilkin D.C.
Deputy Clerk

EXHIBIT 2

COMPREHENSIVE PLAN AMENDMENT ROUND 93-1

**STAFF REPORT AND COUNTY'S RESPONSE TO
THE DEPARTMENT OF COMMUNITY AFFAIRS'
OBJECTIONS, RECOMMENDATIONS & COMMENTS
REPORT ON THE PROPOSED DELETION OF
RYDER CUP BOULEVARD FROM THE THOROUGHFARE
RIGHT-OF-WAY IDENTIFICATION MAP**

**ADOPTED BY THE
BOARD OF COUNTY COMMISSIONERS
AT THE JUNE 14, 1993
ADOPTION PUBLIC HEARING**

EXHIBIT 2 TABLE OF CONTENTS FOR
COMPREHENSIVE PLAN AMENDMENT ROUND 93-1

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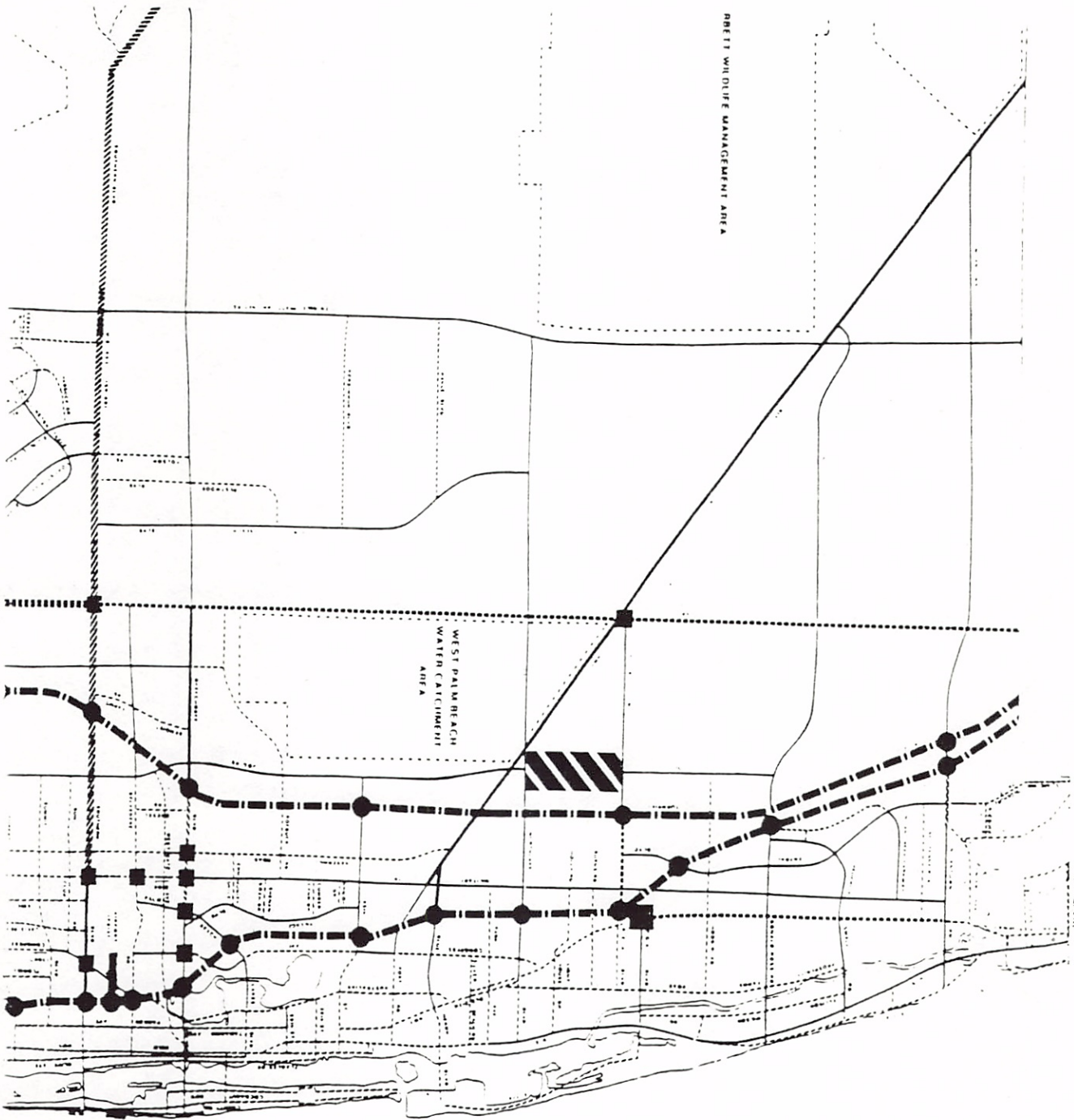
FIGURE	DESCRIPTION	PAGES
1	Thoroughfare Right-of-Way Identification Map	2

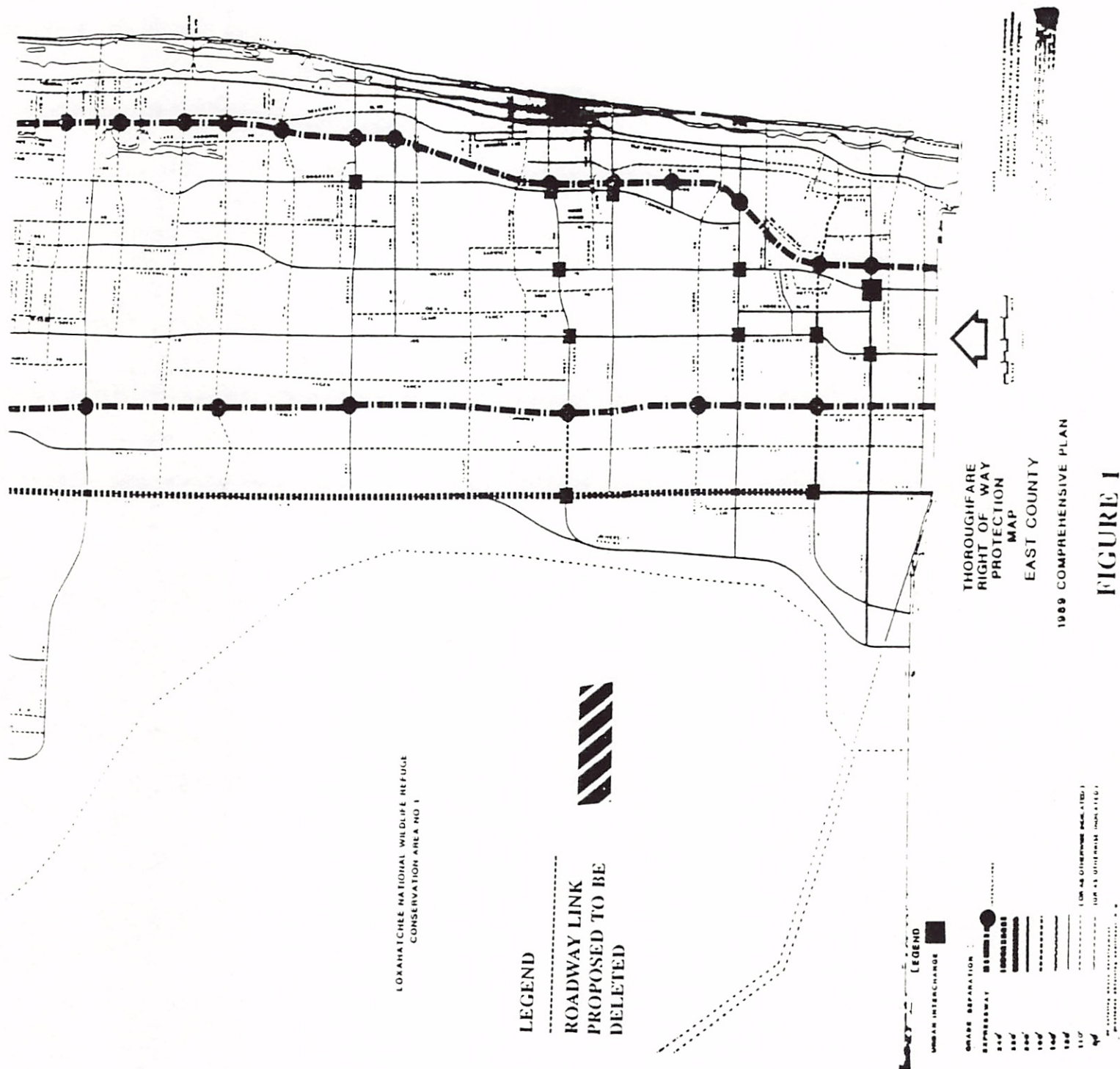
A. Eliminate Ryder Cup Boulevard (Jog Road extension) from Northlake Boulevard north to PGA Boulevard.

1. FROM: A 120 foot right-of-way with ultimate capacity for a six-lane roadway, and an adopted Level of Service (LOS) "D" Standard of 46,300 average annual daily trips (A.A.D.T.) (NOTE: The roadway link presently has a 120 foot right-of-way, is built at two-lanes, and has an adopted LOS Standard of 13,700 average annual daily trips);

2. TO: No right-of-way shown on Thoroughfare Right-of-Way Identification Map.

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ROUND 93-1